

Alexander Maltas  
+1 202 637 5651  
alexander.maltas@hoganlovells.com

Hogan Lovells US LLP  
Columbia Square  
555 Thirteenth Street, NW  
Washington, DC 20004  
T +1 202 637 5600  
F +1 202 637 5910  
www.hoganlovells.com

November 1, 2017

**VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Notice of Ex Parte, *Restoring Internet Freedom*, WC Docket No. 17-108

Dear Ms. Dortch:

On October 30, 2017, Bill Gordon, Vice President, Regulatory Affairs for Gogo, LLC ("Gogo"), and Michele Farquhar and the undersigned from Hogan Lovells, counsel to Gogo, met with the following: Kris Monteith, Madeleine Findley, Daniel Kahn, Melissa Kirkel, and Ramesh Nagarajan of the Wireline Competition Bureau, and Nese Guendelsberger, Peter Trachtenberg, Jennifer Salhus, Jiaming Shang, and Elizabeth McIntyre of the Wireless Telecommunications Bureau.

During the meeting, Gogo explained that it provides in-flight connectivity under unique constraints that do not apply to typical Internet service providers. For its air-to-ground service, Gogo provides connectivity using just two CDMA channels comprising 3 MHz of spectrum. Even for its faster satellite-based service, Gogo's service is affected by varying atmospheric conditions, the number of aircraft in a network sector, aircraft speed, altitude, the number of users on an aircraft, transponder availability, changes in routing, and proximity to network sites. Gogo also must comply with a variety of airline demands, as well as FAA and law enforcement obligations.

Gogo described how the 2015 open internet rules created substantial ambiguity regarding how the rules should apply to services that do not meet the paradigm of cable or fiber Internet service, or even terrestrial wireless service. Gogo is a small company, and the existing rules have created significant hurdles and costs to the company's business decisions. Gogo explained that expansive open Internet rules are a poor fit for the type of service that Gogo provides, considering its unique challenges. Gogo argued that any rules going forward should exempt services like Gogo's from their applicability.

Please direct any questions regarding this filing to the undersigned.

Sincerely,

/s/ Alexander Maltas

Alexander Maltas  
Hogan Lovells

cc: Kris Monteith  
Madeleine Findley  
Daniel Kahn  
Melissa Kinkel  
Ramesh Nagarajan  
Nese Guendelsberger  
Peter Trachtenberg  
Jennifer Salhus  
Jiaming Shang  
Elizabeth McIntyre